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FEB 29 2008

DOCKET NO. 2000.04.017.WT0  
U.S. SERIAL NO. 09/475,602  
PATENT

REMARKS

Claims 1-20 were originally filed in the present application.

Claims 1-20 are pending in the present application.

Claims 1-20 were rejected in the December 31, 2007 Office Action.

No claims have been allowed.

No claims are amended herein.

Claims 1-20 remain in the present application.

Reconsideration of the claims is respectfully requested.

In Sections 4 of the December 31, 2007 Office Action, the Examiner rejected Claims 1-20 under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 6,587,684 to *Hsu, et al.* (hereinafter, simply "Hsu") in view of U. S. Patent No. 6,321,336 to *Applegate, et al.* (hereinafter, simply "Applegate"). The Applicants respectfully traverse the rejection.

Hsu describes a proxy gateway sending the URL of a provisioning server to a wireless device so that the wireless device can access the provisioning server using the URL. *See Hsu, col. 15, lines 24-32.* However, Hsu describes only a single provisioning server, not a plurality of provisioning servers, as asserted by the Examiner.

The Examiner acknowledges that Hsu does not describe a controller that receives an IP data packet and replaces the received IP packet header with an IP packet header including an IP address of a selected one of a plurality of provisioning servers. However, the Examiner asserts that replacing an

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IP header with the IP address of a server is well-known in the art, in order to route data to a correct destination address and further provide efficient data transmission.

Routing data to a correct destination address and providing efficient data transmission are problems that Hsu has already solved, so a person of skill in the art would find no motivation to look for another solution. Hsu ensures that provisioning messages go only to the provisioning server by providing the server's address to a wireless device for its use during provisioning.

In further support, of the assertion that replacing an IP header with the IP address of a server is well-known in the art, the Examiner cites Applegate. The Examiner asserts that Applegate describes replacing an IP packet header with a replacement IP packet header including the IP address of a selected one of a plurality of servers associated with a wireless network, citing column 5, lines 34-65. The Applicants respectfully submit that the Examiner appears to mischaracterize several aspects of the Applegate reference.

First, Applegate describes a firewall that reroutes an FTP packet to a local FTP proxy by replacing the IP address of an external FTP server with the IP address of the FTP proxy. Applegate makes no mention of a plurality of FTP proxies, nor of selecting one proxy from a plurality of proxies. Second, Applegate describes a communication security system that uses a server to communicate to an unprotected network, such as the Internet. Applegate makes no mention of a wireless network.

Furthermore, the Examiner asserts that a person of skill in the art would find it obvious to combine the teaching of Applegate with the system of Hsu in order to efficiently route packets and

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further enhance security of the system. Applegate provides no teaching that replacing the IP address of an FTP server with the address of an FTP proxy provides efficient routing of packets, and the security enhancements of Applegate come not merely from replacing the IP address in the FTP packet, but rather from checking in the FTP proxy whether a connection to the intended FTP server is permitted.

In short, the Examiner has suggested that a person of skill in the art would combine Hsu and Applegate to solve a problem that does not exist in Hsu with a feature of Applegate that does not provide the improvement that the Examiner suggests. The suggestion that the security of over-the-air provisioning should be improved and the solution of replacing the IP address in a data packet from an unprovisioned mobile station with the IP address of a provisioning server come only from the present application, not from the cited references.

For at least these reasons, independent Claims 1, 9 and 17 are patentable over the cited references. Claims 2-8, 10-16 and 18-20 depend from Claims 1, 9 and 17, respectively, and include all the limitations of their respective base claims. As such, Claims 2-8, 10-16 and 18-20 also are patentable over the cited references.

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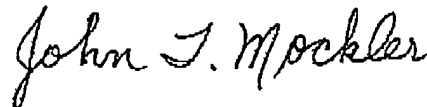
SUMMARY

For the reasons given above, the Applicants respectfully request reconsideration and allowance of the pending claims and that this application be passed to issue. If any outstanding issues remain, or if the Examiner has any further suggestions for expediting allowance of this application, the Applicants respectfully invite the Examiner to contact the undersigned at the telephone number indicated below or at [jmockler@munckbutrus.com](mailto:jmockler@munckbutrus.com).

The Commissioner is hereby authorized to charge any additional fees connected with this communication or credit any overpayment to Deposit Account No. 50-0208.

Respectfully submitted,

MUNCK BUTRUS CARTER, P.C.

Date: February 29, 2008

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